REMARKS

Reconsideration and withdrawal of the examiner's rejections under 35 U.S.C. §§ 102 and 103 is respectfully requested in view of the above amendments and the following remarks. The applicant would like to thank the examiner for his time and kind cooperation in this matter.

35 USC § 102 and § 103

The examiner has rejected claims 1-10 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over GB 1 190 023. Applicants respectfully traverse this rejection.

GB '023 relates to a liquid biodegradable detergent composition based on alkali metal fatty soap and generically discloses the fact that the composition may contain at least one C_8 to C_{22} unsaturated fatty acid (see page 1, line 19).

Applicants respectfully submit that a proper prima facie case under §§ 102 or 103 has not been made out at least because there is no specific disclosure of castor oil or ricinoleic acid unsaturated soaps nor the specific concentration range claimed of 0.05 to 4% by wt. for these components. However, to further distinguish the instant claims from GB '023, applicants have amended independent claim 1 to require that the unsaturated fatty acid soap component must consist essentially of castor oil or ricinoleic acid soap. Support for this amendment is found page 7, lines 17-18. Castor oil contains approximately 87% ricinoleic acid (d-12 OH oleic acid) and some stearic acid (Merck Index 13th ed., see attached)).

It has been unexpectedly found by way of the present invention (see examples) that a small amount of soap made from castor oil based fatty acids, their precursors or derivatives in a C_{12}-C_{18} soap matrix ensures high transparency in the composition, and allows for a wider formulation window such as the higher use of sodium soaps, lower use of non-soap detergents and humectants, and use of higher molecular weight fatty acid soaps. Applicant's respectfully submit that the unexpected results disclosed in the examples is sufficient to rebut the examiner's prima facie case assuming arguendo that a proper prima facie case had been made out. KSR v. Teleflex, 127 S.Ct. 1727 (2007). MPEP 716.02(a).

Claim 1 has been further amended to be commensurate with the scope of the fatty acid soaps actually used in the examples.

The examiner has rejected claims 1-10 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over GB 2 005 297. Applicants respectfully traverse this rejection. Applicants respectfully submit that GB '297 does not remedy the deficiencies of GB '023 with respect to the specific and essential unsaturated fatty acids now claimed.

The examiner has rejected claims 1-10 under 35 U.S.C. 102(e) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over WO 2006/045390. Applicants respectfully traverse this rejection.

Applicants respectfully submit that the subject matter of WO '390 and the instant invention were, at the time the claimed invention was made, subject to an obligation of assignment to the same person, i.e., Unilever PLC, Unilever NV, Hindustan Unilever Limited and Conopco, Inc., d/b/a Unilever. Therefore, the WO '390 reference is disqualified as 102(e), 103(a) reference (MPEP 706.02 (l)(1)).

Double Patenting

The examiner has provisionally rejected claims 1-10 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-13 of copending Application No. 11/255,378. In response, applicants herewith submit a terminal disclaimer for Application No. 11/255,378.

Other Amendments

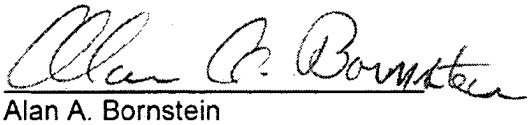
Claims 9 and 10 have been amended to conform the process claims to the proper format.

CONCLUSION

In summary, claims 1, 2, 4, 9 and 10 have been amended. No new matter has been added.

In light of the above remarks, applicants submit that the claims now pending in the present application is in condition for allowance. Reconsideration and allowance of the application is respectfully requested. The examiner is invited to contact the undersigned if there are any questions concerning the case.

Respectfully submitted,

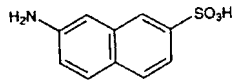


Alan A. Bornstein
Registration No. 40,919
Attorney for Applicant(s)

AAB/ss
(201) 894-2180

USE: Dyestuff intermediate.

1903. Cassella's Acid F. [494-44-0] 7-Amino-2-naphthalenesulfonic acid; 2-naphthylamine-7-sulfonic acid; β-naphthylamine-δ-sulfonic acid. $C_{10}H_9NO_3S$; mol wt 223.25. C 53.80%, H 4.06%, N 6.27%, O 21.50%, S 14.36%. Prepn by sulfonation of β-naphthylamine and separation from the 6-amino isomer: Green, *J. Chem. Soc.* **55**, 33 (1889); from 7-hydroxy-2-naphthalenesulfonic acid and ammonia: Green, *loc. cit.*; Wait, **US 1492497** (1924).



Monohydrate. Crystals. Sol in 5040 parts cold water, 350 parts boiling water; sol in glacial acetic acid.

Copper salt. Orange-yellow crystals. Sparingly sol in water. Ref: Green, Vakil, *J. Chem. Soc.* **113**, 35 (1918).

Note: ***Bronner's acid*** was first described as ***6-amino-2-naphthalenesulfonic acid*** or ***2-naphthylamine-6-sulfonic acid***. However, this product obtained by sulfonation of β-naphthylamine, was subsequently shown to be a mixture of about equal parts of 6- and 7-amino-2-naphthalenesulfonic acids: Green, *loc. cit.*

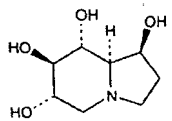
USE: Both the title compd and its 6-amino isomer are used in the manuf of azo dyes, *e.g.*, **GB 810246** (1959 to Bayer).

1904. Cassia Fistula. Cassia pods; drumstick; Indian laburnum; pudding-stick; pudding pipe; purging cassia. Dried fruit of *Cassia fistula* L. (*Cathartocarpus fistula* [L.] Pers.), *Leguminosae*. *Habit.* Upper Egypt, E. India; cultivated in tropical America and Africa. The pulp of the ripe fruit, ***cassia pulp***, is an almost black, viscid mass with a sweetish taste. *Constit.* Hydroxymethylanthraquinones, gum, tannin, albuminoids, about 60% sugars.

THERAP CAT: Cathartic.

1905. Castanea. Chestnut. Leaves of *Castanea dentata* (Marsh.) Borkh., *Fagaceae*, collected in September and October. *Habit.* Southern Europe. There are hardly any chestnut trees left in the U.S. *Constit.* Tannin, gum, albumin, resin.

1906. Castanospermine. [79831-76-8] (1*S*,6*S*,7*R*,8*R*,8a*R*)-Octahydro-1,6,7,8-indolizinetetrol; 1,6,7,8-tetrahydroxyoctahydroindolizine; (1*S*,6*S*,7*R*,8*R*,8a*R*)-1,6,7,8-tetrahydroxyindolizidine. $C_8H_{15}NO_4$; mol wt 189.21. C 50.78%, H 7.99%, N 7.40%, O 33.82%. Polyhydroxy alkaloid isolated from the seeds of the Australian leguminous tree, *Castanospermum australe*. Inhibits enzymatic glycoside hydrolysis. Isoln of the naturally occurring (+)-form: L. D. Hohenschutz *et al., Phytochemistry* **20**, 811 (1981). Total synthesis and absolute configuration: R. C. Bernotas, B. Ganem, *Tetrahedron Letters* **25**, 165 (1984). Alternate synthesis: H. Hamana *et al., J. Org. Chem.* **52**, 5492 (1987). Inhibition of α- and β-glucosidases: R. Saul *et al., Arch. Biochem. Biophys.* **221**, 593 (1983); *eidem, ibid.* **230**, 668 (1984). Insect antifeedant activity: D. L. Dreyer *et al., J. Chem. Ecol.* **11**, 1045 (1985). Inhibition of HIV infectivity *in vitro*: B. D. Walker *et al., Proc. Natl. Acad. Sci. USA* **84**, 8120 (1987); R. A. Gruters *et al., Nature* **330**, 74 (1987).



Am. J. Med. Sci. **178**, 748, 764 (1929); **180**, 503 (1930); Glass *et al., Science* **115**, 101 (1952); Heinle *et al., Trans. Assoc. Am. Phys.* **65**, 214 (1952); Latner *et al., Biochem. J.* **55**, XXIII (1953); Callender *et al., Brit. Med. J.* **I**, 10 (1954); Latner *et al., Lancet* **I**, 497 (1954); Baum, Federman, **US 2912360** (1959 to Lilly). Purification: Robbins, **US 3008877** (1961 to Armour); Highley, Ellenbogen, **US 3434927** and **US 3591678** (1969, 1971, both to Am. Cyanamid). In approx 30% of pernicious anemia patients, antibodies are produced in the serum which combine with IF, thus inhibiting its biological activity. In clinical tests diminished excretion of vitamin B_{12} in the feces is taken as evidence of intrinsic factor activity. Function in the metabolism of vitamin B_{12}: Glass, *Physiol. Rev.* **43**, 529 (1963). *Review:* Gräsbeck, *Progr. Hematol.* **6**, 233 (1969).

Combination with vitamin B_{12}. Gastrhéma.

THERAP CAT: Adjuvant in vitamin B_{12} utilization.

1908. Castor Oil. Ricinus oil; oil of Palma Christi; tangantangan oil; Neoloid. Fixed oil obtained by cold-pressing the seeds of *Ricinus communis* L., *Euphorbiaceae*. Triglyceride of fatty acids. Fatty acid composition is approx ricinoleic 87%, oleic 7%, linoleic 3%, palmitic 2%, stearic 1% and dihydroxystearic trace amounts: Binder *et al., J. Am. Oil Chem. Soc.* **39**, 513 (1962). Review and bibliography: Anderson, *J. Philippine Pharm. Assoc.* **42**, 5-16 (1955); Dominguez *et al., J. Chem. Ed.* **20**, 446 (1952); F. C. Naughton *et al.*, in *Kirk-Othmer Encyclopedia of Chemical Technology* **vol. 5** (Wiley-Interscience, New York, 3rd ed., 1979) pp 1-15.

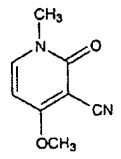
Pale yellow, viscous oil. Slight somewhat characteristic odor. The crude oil tastes slightly acrid with a decidedly nauseating after-taste. Has excellent keeping qualities, does not turn rancid unless subjected to excessive heat. Dextrorotatory (undil. in sodium light). $d_{15.5}^{15.5}$ 0.961-0.963. Wt of tech grades: 8.1 to 8.9 lbs/gallon. n_D^{25} 1.473-1.477. n_D^{40} 1.466-1.473. Solidif −10° to −18°. Viscosity at 25°: 6-8 poises, also expressed as U ± ½ (Gardner-Holdt Scale). Flash pt 445°F (230°C); ignition temp 840°F (449°C). Surface tension (dynes/cm): at 20°, 39.0; at 80°, 35.2. Acid value <4. Sapon no. 176-187. Iodine no. (Wijs') 81-91. Reichert-Meissl value <0.5. Polenske value <0.5. Acetyl value 144-150. Hydroxyl value 161-169. Miscible with abs ethanol, methanol, ether, chloroform, glacial acetic acid. Dissolves in its own vol of petr ether or 95% alcohol. Does not dissolve to any extent in mineral oil, unless mixed with another vegetable oil. When heated to 300° for several hours it polymerizes and becomes miscible with mineral oil.

USE: As an industrial raw material for the prepn of chemical derivs used in coatings, urethane derivs, surfactants and dispersants, cosmetics, lubricants; chief raw material for the production of sebacic acid, a basic ingredient in the production of synthetic resins and fibers; as lubricant in metal drawing, machine lubrication and 2-cycle engine fuels, in hydraulic fluids, rubber preservative and mold lubricants; constituent of embalming fluids; in soap manuf; to impart emollient and lubricant properties to cosmetic prepns; as Turkey-red oil (sulfated castor oil) for dyeing and finishing textiles; as dehydrated castor oil in alkyds, resinous copolymers, varnishes, oil-based paints, enamels, calks and putties; as blown oil (oxidized oil) for plasticizing oilcloth, artificial leather, coated fabrics, and lacquers; to plasticize rosin in the manuf of sticky fly-paper, for nitrocellulose and similar coating systems, hot melts, duplicating and stencil inks, adhesives and laminants; as release and anti-sticking agent in hard candy manuf.

THERAP CAT: Cathartic.

THERAP CAT (VET): Mild purgative, but considered unreliable in adult horses. Emollient.

1909. Castor Oil, Hydrogenated. Opalwax; Castorwax. Mol wt about 932. A hard, white wax, mp 86-88°. Iodine num-



Caution: Ingestion may cause nausea, vomiting, hemorrhagic gastroenteritis, hepatic and renal damage, convulsions, coma, hypotension, respiratory depression, death.

8295. Ricinoleic Acid. [141-22-0] (9*Z*,12*R*)-12-Hydroxy-9-octadecenoic acid; *d*-12-hydroxyoleic acid. $C_{18}H_{34}O_3$; mol wt 298.46. C 72.44%, H 11.48%, O 16.08%. $CH_3(CH_2)_5CH(OH)CH_2CH{=}CH(CH_2)_7COOH$. Found primarily in oils from the seeds of *Ricinus* spp, *Euphorbiaceae.* Accounts for about 90% of the triglyceride fatty acids of castor oil, and up to about 40% of the glyceride fatty acids of ergot oil. Bibliography on its isoln: Ralston, *Fatty Acids* (New York, 1948) p 189. Also isolated from *Linum mucronatum* (flax), *Linaceae:* Kleiman, Spencer, *Lipids* **6,** 962 (1971). Structure: Goldsobel, *Ber.* **27,** 3121 (1894). Mechanism of biosynthesis: Morris, *Biochem. Biophys. Res. Commun.* **29,** 311 (1967).

Liquid. $d_4^{27.4}$ 0.940; mp +5.5°; bp_{10} 245°. $[\alpha]_D^{22}$ +6.67°; $[\alpha]_{Hg}^{25}$ +7.15° (c = 5 in acetone). n_D^{20} 1.4716. Neutralization value 187.98; iodine value 85.05. Sol in alcohol, acetone, ether, chloroform (*cf.* the solubilities of castor oil).

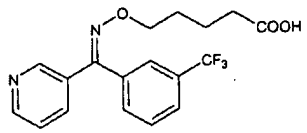
Acid sulfate. Ricinolsulfuric acid. $C_{18}H_{34}O_6S$. Obtained by the action of chlorosulfonic acid. Viscous brown liquid with weak blue fluorescence. Sol in water (about 10%), alcohol, ether, chloroform.

Sodium salt. [5323-95-5] Soricin; Colidosan. Sodium salts of the fatty acids from castor oil. White or slightly yellow, odorless or almost odorless powder. Sol in water or alcohol. The soln is alkaline.

USE: In textile finishing; sometimes added to Turkey red oil, dry-cleaning soaps.

THERAP CAT: Has been used in contraceptive jellies. The sodium salt has been used as sclerosing agent.

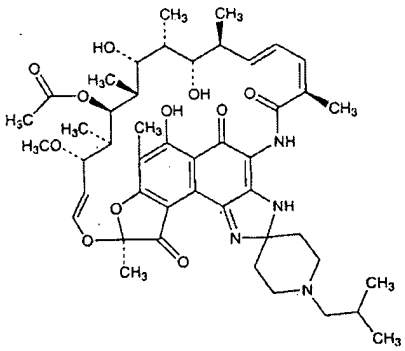
8296. Ridogrel. [110140-89-1] 5-[[(*E*)-[3-Pyridinyl[3-(trifluoromethyl)phenyl]methylene]amino]oxy]pentanoic acid; CGS 28070. $C_{18}H_{17}F_3N_2O_3$; mol wt 366.33. C 59.02%, H 4.68%, F 15.56%, N 7.65%, O 13.10%. Combined thromboxane A_2 synthase inhibitor and thromboxane A_2/prostaglandin endoperoxide receptor antagonist. Prepn: E. J. E. Freyne *et al.*, **EP 241601**; *eidem,* **US 4963573** (1987, 1990 both to Janssen). Clinical pharmacology: B. Hoet *et al., Thromb. Haemostasis* **64,** 87 (1990); C. Weber *et al., ibid.* **68,** 214 (1992). Clinical study in peripheral arterial obstructive disease: J. De Cree *et al., Int. Angiol.* **12,** 59 (1993); as adjunct to thrombolysis in acute myocardial infarction: RAPT Investigators, *Circulation* **89,** 1588 (1994).



Crystals from diisopropyl ether/hexane (2:1), mp 70.3°.

THERAP CAT: Antithrombotic.

8297. Rifabutin. [72559-06-9] 1′,4-Didehydro-1-deoxy-1,4-dihydro-5′-(2-methylpropyl)-1-oxorifamycin XIV; (9*S*,12*E*,15*R*,16*S*,17*R*,18*R*,19*R*,20*S*,21*S*,22*E*,24*Z*)-6,16,18,20-tetrahydroxy-1′-isobutyl-14-methoxy-7,9,15,17,19,21,25-heptamethylspiro[9,4-(epoxypentadeca[1,11,13]trienimino)-2*H*-furo[2′,3′:7,8]naphth[1,2-*d*]imidazole-2,4′-piperidine]-5,10,26(9*H*)-trione-16-acetate; 4-deoxo-3,4-[2-spiro-(*N*-isobutyl-4-piperidyl)]-(1*H*)-imidazo-(2,5-dihydro)rifamycin S; 4-*N*-isobutylpiperidylrifamycin S; LM-427; Ansatipine; Mycobutin. $C_{46}H_{62}N_4O_{11}$; mol wt 847.00. C 65.23%, H 7.38%, N 6.61%, O 20.78%. Semisynthetic derivative of rifamycin S that inhibits nucleic acid synthesis. Prepn: L. Marsili *et al.*, **DE 2825445** (1979 to Farmitalia); *eidem,* **US 4219478** (1980 to Archifar Labs). *In vitro* and *in vivo* antibacterial activity: A. Sanfilippo *et al., J. Antibiot.* **33,** 1193 (1980); C. Della Bruna *et al., ibid.* **36,** 1502 (1983). Mechanism of action: D. Ungheri *et al., Drugs Exp. Clin. Res.* **10,** 681 (1984). Comparative *in vitro* antimycobacterial spectrum: J. M. Dickinson, D. A. Mitchison, *Tubercle* **68,** 177 (1987). *In vitro* inhibition of HIV-1 replication: R. Anand *et al., Antimicrob. Ag. Chemother.* **32,** 684 (1988). Clinical pharmacokinetics: M. H. Skinner *et al., ibid.* **33,** 1237 (1989). Pharmacology and clinical efficacy in mycobacterial infections: R. J. O'Brien *et al., Rev. Infect. Dis.* **9,** 519 (1987).



Violet-red crystalline powder. Highly sol in chloroform, sol in methanol, slightly sol in ethanol, minimally sol in water. uv max (methanol): 493, 315, 274, 238 nm.

THERAP CAT: Antibacterial (tuberculostatic).

8298. Rifalazil. [129791-92-0] 1′,4-Didehydro-1-deoxy-1,4-dihydro-3′-hydroxy-5′-[4-(2-methylpropyl)-1-piperazinyl]-1-oxorifamycin VIII; (2*S*,16*Z*,18*E*,20*S*,21*S*,22*R*,23*R*,24*R*,25*S*,26*R*,27*S*,28*E*)-5,12,21,23,25-pentahydroxy-10-(4-isobutyl-1-piperazinyl)-27-methoxy-2,4,16,20,22,24,26-heptamethyl-2,7-(epoxypentadeca[1,11,13]trienimino)-6*H*-benzofuro[4,5-*a*]phenoxazine-1(2*H*),6,15-trione 25-acetate; 3′-hydroxy-5′-(4-isobutyl-1-piperazinyl)benzoxazinorifamycin; KRM-1648. $C_{51}H_{64}N_4O_{13}$; mol wt 941.07. C 65.09%, H 6.85%, N 5.95%, O 22.10%. Semisynthetic derivative of rifamycin S. Prepn: T. Yamane *et al.*, **EP 366914**; *eidem,* **US 4983602** (1990, 1991 both to Kanegafuchi); *eidem, Chem. Pharm. Bull.* **41,** 148 (1993). Antimycobacterial efficacy in comparison with rifampin, *q.v.*: T. Yamamoto *et al., Antimicrob. Ag. Chemother.* **40,** 426 (1996). Pharmacokinetics: K. Hosoe *et al., ibid.* 2749. HPLC determn in biological fluids: *eidem, J. Chromatog. B* **653,** 177 (1994).